

Kennebec County, Maine



Request for Proposal

for

ARPA (American Rescue Plan Act) Program Design, Reporting and Compliance of County Allocations

- Contract Administrator:** Scott Ferguson, County Administrator
207.530.7369
sferguson@kennebecso.com
- Response Deadline:** January 28, 2021
All responses MUST be received by 4:00pm (local time)
- Respondent Meeting:** Meetings will be at the discretion of the County Contact.

PROJECT OVERVIEW

Kennebec County is seeking expert advice and support services to understand and interpret federal guidance, design program management processes, perform eligibility determinations, prepare reporting and insure compliance for its allocation from the American Rescue Plan Act (ARPA) and continued reporting of Coronavirus Relief Funds (CRF). These support services will provide compliance expertise to keep the County up to date with changing federal provisions and regulations associated with the ARPA and CRF, including data acquisition, eligibility determination, compliance and county/ sub-recipient reporting of these allocations.

ELIGIBILITY

To be eligible for consideration, a duly authorized representative of the respondent firm must certify, in writing, as to each of the following requirements:

1. Respondents must have at least five years of documented experience advising government clients on compliance with federal grants; including, but not limited to identification of authorized uses of such funds and any subsequent reporting requirements.
2. Respondents must have prior governmental accounting or auditing experience.
 - a. Respondent may provide their response as a partnership between an accounting and legal firm to ensure its ability to cover the necessary services requested herein.
3. Consulting Services for Oversight and Compliance for American Rescue Plan Act of 2021 and the CARES Act.
4. Respondents shall have no conflict of interest in representing the County; and
5. Respondents must carry sufficient professional liability insurance to cover any errors and omissions, improper judgment, or negligence associated with the engagement naming the county as additional insured. Insurance must be obtained from insurance companies licensed in the State of Maine, carrying an A.M. Best financial rating of A or better. Upon failure to furnish, deliver and maintain such insurance, the agreement, contract award or purchase order may be declared suspended, discontinued, or terminated/ canceled. If at any time any of the policies required herein become unsatisfactory to the County, as to form or substance, or if a company issuing any such policy has become unsatisfactory to the County, the Consultant must upon notice to that effect from the County, promptly obtain a new policy and submit same with a certificate for approval by the County. If Consultant does NOT provide the County with evidence of the insurance coverage required by this Agreement, the County may purchase insurance (at Consultant's sole expense) to protect the County's interests. If the County purchases insurance under this Section, Consultant will be responsible for the cost of that insurance, including interest and any other charges the County may reasonably impose in connection with the placement of the insurance, until the effective date of the cancellation or expiration of the insurance. The cost of insurance under this Section may be more than the cost of insurance that Consultant may be able to obtain on its own.
 - a. *(An ACORD Certificate of Insurance will confirm that the required policies have been issued to the named insured; for the policy period indicated. The ACORD Certificate is to be provided to the County within five (5) business days of notice of contract award or of notice of intent to issue a Purchase Order. All Certificates of Insurance must be updated at least annually to remain valid.)*
 - i. COMMERCIAL GENERAL LIABILITY INSURANCE with a minimum limit of liability per occurrence of \$1,000,000/\$2,000,000 aggregate for bodily injury and \$100,000 for property damage or a combined single limit of \$1,000,000, naming the County as an additional insured. This insurance must include the following coverages: (i) Premises – Operations; (ii) Broad Form Contractual; (iii) Independent Contractor and Sub-Contractor; (iv) Products and Completed Operations.
 - ii. *WORKERS COMPENSATION REQUIREMENTS: The Consultant must procure, pay for, and maintain during the entire term of the contract such insurance as will protect both the Consultant and the County from claims under worker's compensation acts and amendments thereto and from any other claims for property damage and for personal injury including death, which may arise from operations under this contract, whether such operations by the Consultant or by any other party directly or indirectly employed*

by the Consultant. Consultants must provide copies of the required certificate to the County within five (5) business days of notice of contract award or of notice of intent to issue a Purchase Order.

iii. **PROFESSIONAL LIABILITY.** *The Consultant must provide proof of such insurance. (Limits of \$1,000,000 per occurrence/\$3,000,000 aggregate). All policies of the Consultant must be endorsed to contain the following clauses:*

- a) Insurers must have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so affected must protect both parties and be primary coverage for any and all losses covered by the above-described insurance.*
- b) The clause "other insurance provisions" in a policy in which the County is named as an insured, must not apply to the County.*

SCOPE OF WORK

Manages the execution and oversight of the American Rescue Plan Act (ARPA) funds received Kennebec County. Works closely with municipal administration, county budget committee and county commissioners to coordinate the planning, administration, and reporting of ARPA funds in compliance with all State of Maine and US Treasury guidelines. Leads the municipality's community outreach efforts around strategic planning of federal funds.

Support Services will include, but not be limited to:

- ✓ **Sub-recipient Contracts** – Create sub-recipient contracts outlining terms, approved funding, ARPA compliance requirements, monitoring and reporting deadlines.
- ✓ **Compliance** - Provide expert guidance regarding federal / state regulations including analysis of federal guidance and interpret / relay to county officials.
- ✓ **Applications** - Review applications for completeness and compliance to support final eligibility determinations made by the Budget Committee and County Commissioners.
- ✓ **Audit** – design a subrecipient monitoring process/checklist and assist with subrecipient monitoring and reporting. Audit invoices prior to submission for completeness and ARPA compliance.
- ✓ **Reconciliation** - Recommend format and process for compiling data necessary to support reconciliations. Perform reconciliations of funding provided (obligations, disbursements) with the County's Finance Department, accounting system and federal reporting portals.
- ✓ **Reporting** - Aggregate data in required format and perform upload/entry into federal reporting portal.
 - Track eligible expenditures, fund balances and costs;
 - Compile and submit annual compliance reports to the US Treasury.
- ✓ **Web Presence** – Provide guidance and information relative to ARPA funding requirements. (the county has created a venue for potential recipients to submit applications for funding.)
- ✓ **Work Location** - Remote work is acceptable, contractor is not required to be onsite.

ESSENTIAL JOB DUTIES

Acts as liaison between the county, municipal officials, state agencies, nonprofits, private sector partners, and the federal government in deploying the various projects and programs that will arise from the ARPA funds.

Engages greater community of Kennebec County through attendance at public meetings, whether in-person or other online platforms.

- ✓ Negotiates contracts, agreements and memorandums of understanding with sub-recipients in conjunction with the County Administrator.
- ✓ Tracks the compliance of sub-recipients through the entire awards process through final reporting.

Develops and implements an internal Recovery Plan that will steer the obligating of ARPA funds and inform the US Treasury on the projects municipalities and its sub-recipients are undertaking with ARPA funding.

Continually monitors and evaluates ARPA funded projects and programs, as well as the projects and programs initiated by sub-recipients. Develops evaluation criteria consistent with the US Treasury's Final Rule.

Oversees the preparation of the county and municipal grant applications and the administration of any approved grant programs.

Works closely with the county and municipal Finance Department to track eligible expenditures, fund balances, and costs.

Ensures compliance with local, state and federal law. Compiles and submits annual compliance reports to the US Treasury

Definition of sub-recipient as detailed by Uniform Guidance: Sub-recipient: Sub-recipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such award. In regards to ARPA funds, sub-recipients may include another governmental entity, non-profit organization, or private enterprise.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of federal grant programs, local government operations, public policy, community outreach, program development, budgeting and finance.

Ability to establish and maintain effective and harmonious work relationships with diverse stakeholders regarding strategy, policy, and operations; work independently; manage multiple tasks efficiently, prioritize, and balance short and long term responsibilities; carry out assignments to completion in an efficient and accurate manner; communicate and collaborate with executive level individuals; interact with the public effectively and appropriately; problem solve and think strategically; analytically, and creatively; learn new concepts quickly; collaborate, building consensus, and lead; be self-motivated and organized; handle problems and emergencies; maintain confidential information; and maintain, manage, and organize records.

Understanding of grant development, management and auditing in accordance with Federal and State Regulations.

OTHER REQUIREMENTS AND SKILLS

- ✓ Knowledge of local, state and federal laws as it relates to accounting and cost principles.
- ✓ Must be self-motivated, highly organized and detail oriented.
- ✓ Possess excellent and effective oral and written communication skills, excellent interpersonal skills and intermediate computer literacy.
- ✓ Must be able to effectively read, analyze, and interpret large amounts of complex data.

TENTATIVE PERIOD OF WORK AND DELIVERABLES (subject to change):

Present to January 31, 2020

- Deadline for ARPA funding applications.

Selection of ARPA Consultant

- By February 21, 2022

March 1, 2022 to March 30, 2022:

- Initial analysis of ARPA and CRF regulations/guidance to inform best program recommendations
- Preparations for Review with County Budget Committee

April 1, 2020 to April 30, 2020

- Organize sessions with County Budget Committee to review ARPA for eligibility
- Create award structure:
 - develop detailed program design
 - data capture
 - transaction approval
 - audit
 - reconciliation and
 - reporting framework
- Prepare recommendations for sub-recipient awards for Commissioner review.

May 1, 2020 – December 31, 2022

- Presentation of recommendation and approval by Commissioners.
- Notification of awards
 - Create framework, guidelines and process for ARPA disbursement by sub-recipient.
- Provide support services to sub-recipients for eligibility determination, transaction approval, and reporting.
- Provide ongoing support and notification to sub-recipients pertaining to updated regulations, guidance and requirements related to ARPA and CRF funding.

PROPOSAL REQUIREMENTS

Proposals submitted shall contain the following:

1. Completion of the Response Cover Page
2. Qualifications and statement of understanding of the scope of services;
3. List of references dealing with managing federal grant programs and/or municipal finances;
4. Fee structure for requested scope of services using the following payment methods:
 - a. A lump sum contract;
 - b. An hourly basis with a maximum amount not to exceed; and
 - i. If multiple positions, please itemize by Position Title, Function and Fee
 - c. A suggested method of consultation.
5. No reimbursement will be made for any costs incurred prior to a formal notice to proceed.

RESPONSE TO RFP

Responses are to be submitted electronically to the Contract Administrator identified on the cover page of this Request for Proposal by or before the response deadline, also identified on the cover page. Responses are to be submitted electronically (PDF) and must include the following sections presented in the order below:

1. **Cover letter:** A cover letter with company name, address, phone number, project contact and principal signature is required expressing interest in the project, and certifying that sufficient resources in personnel, equipment, and time are available and can be committed to this project.
2. **Organizational Structure:** The legal form of the business organization, the state in which incorporated (if a corporation) and a certificate of good standing. Please include your EIN or SSN.
3. **Facilities, Resources, and Personnel:** The respondent is required to state its organizational resources, which it considers to be advantageous to the successful completion of the project. Items to be considered include the capabilities and experience of the respondent, identification of the principal participants including résumés, certifications and licenses, and office locations.
 - a. Please include the names and position (including qualification) that will be assigned to complete this project. These persons may not be withdrawn from the project or personnel substitutions made without consent of the County Administrator.
 - b. Please identify how many projects the firm currently is obligated to perform and the approximate dollar value of each.

- c. Please provide proof of errors and omissions coverage.
 - d. Please provide an organizational chart for this project (if applicable).
4. **References:** Information is required regarding previous work of a similar nature performed by the respondent with other governmental units or businesses, if any. This would include a description of the work performed, when the work was performed, the dollar amount of the project, the date, name, address, and telephone number of at least three (3) clients who may be contacted for further information. Please provide verification that the respondent is not involved in any current litigation or been the subject of arbitration.
 5. **Work Plan:** Explain the work plan with detailed specific tasks as noted in the Scope of Work section of this RFP. Provide, to the best of your ability, a conceptual project plan and schedule. Demonstrate how your firm will minimize costs and maximize federal resources including utilization of project management resources in a cost-effective manner, assessment of alternatives, delivery methods, streamlining project and work tasks, quality control methods and so forth.
 6. **Pricing/Cost Information:** Provide costs to complete the work plan in your Proposal. Provide hourly rates for each type of activity and each level of personnel, as well as an estimated total to complete the scope of work.

EVALUATION CRITERIA AND SCORING

Respondent's selection will be based on the following weighted criteria:

- ✓ Respondent's project approach and understanding of the Scope of Services required in the RFP as evidenced by its Proposal, including whether all requested information was furnished in the format required by the RFP and estimated costs.
- ✓ Experience and background of the specific personnel that will be assigned to the County's project as outlined in the Proposal, including consideration of the specific involvement of those persons in projects as noted in the Proposal.
- ✓ Past record of performance and experience on similar projects, including strength of references listed in the Proposal. Capacity and capability of the firm to perform the work. Experience with County government officials and federal regulations.

Proposals will be reviewed and rated as follows:

- 30 points: Qualifications of Proposal
- 30 points: Proposal Content for Scope of Services
- 25 points: Interview by Selection Committee (*if desired*)
- 15 points: Fee Structure.

PROPOSAL DEADLINE AND INQUIRIES

- January 28, 2021- All responses **MUST** be received by 4:00pm (local time)
- Inquiries should be directed to: arpa@kennebecso.com

REJECTION RIGHTS

Kennebec County reserves the right, in its sole discretion, to reject any and all proposals and to re-issue or amend the RFP or change the closing date.